

Honorable Lonny R. Suko

Carl P. Gilmore, WSBA #03051
Kelly G. Blazy, WSBA #28415
PRESTON GATES & ELLIS LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104-1158
Telephone: (206) 623-7580
Facsimile: (206) 623-7022
carlg@prestongates.com
kblazy@prestongates.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

GENE W. JESSEE,

Plaintiff,

v.

DEPUY, INC., DEPUY ORTHOPAEDICS,
INC., DEPUY ORTHOPAEDIC
TECHNOLOGY, INC.,

Defendants.

No. CV06-5001 LRS

AGREED PROTECTIVE ORDER

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The parties having agreed to the entry of a protective order to govern the preservation, inspection and testing of the artificial hip joint components that are at issue in this case, it is hereby ORDERED, ADJUDGED AND DECREED:

1. This order shall govern the preservation, inspection and testing of the components explanted from the plaintiff Gene W. Jessee which he has alleged in this lawsuit are defective.

2. All parties in this cause are hereby enjoined from disposing of, destroying or conducting any test or inspection that is either destructive or alters the artificial hip joint in any way, or is likely to destroy or alter the artificial hip joint in any way, except that the

AGREED PROTECTIVE ORDER - 1

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1 components may be sterilized prior to being inspected. This injunction extends to all parties,
2 their counsel and their litigation consultants and experts.

3 3. Prior to shipment, the components will be separately and securely wrapped to
4 prevent damage during transport. The components shall be shipped using an overnight
5 courier service with telephone notification to the recipient that the components are being
6 shipped followed by telephone verification that the components have been received the
7 following business day.

8 Signed this 6th day of March, 2006.

9
10 s/Lonny R. Suko

11 HONORABLE LONNY R. SUKO

12 Approved as to substance and form:

13 MINICK HAYNER

14 By: 

15 Leonard L. Wittlake, WSBA #15451
16 Attorneys for Plaintiff

Dated: 2-24-06

17 PRESTON GATES & ELLIS LLP

18 By: 

19 Carl P. Gilmore, WSBA # 03051
20 Kelly G. Blazy, WSBA # 28415
21 Attorneys for Defendants
22 Depuy, Inc., Depuy Orthopaedics,
23 and Depuy Orthopaedic Technology,
24 Inc.
25
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Dated: 3-2-06

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